



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, August 3, 2021, \* 6:30 pm  
**MINUTES**

Present was:

Nicholas Fouraker, Mayor  
District 1 Commissioner – Ed Gold  
District 2 Commissioner – Anthony Carugno  
District 3 Commissioner – Karl Shuck  
District 4 Commissioner – Randy Holihan  
District 5 Commissioner – Rick Miller  
District 6 Commissioner – Jim Partin  
District 7 Commissioner – Sue Nielsen

Absent was:

### 1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the City Clerk confirmed quorum. Also present were Attorney Ardaman, City Manager Francis, Chief Houston, and City Clerk Quiceno.

### 2. Invocation and Pledge to Flag - Commissioner Gold, District 1

Comm Gold gave the invocation and led the Pledge to the Flag.

### 3. Budget Presentation

City Manager Francis said following Section 5.03 of the City Charter; he presented the operating budget for the FY 2021-22. The Budget notable financial highlighters were as follows,

- No tax millage increase, it will remain at 4.4018
- No new sustaining revenues or programs
- Grants, ARPA Funds, or Rents from CCA are not programmed into the budget. If any are received, a budget amendment will be presented to Council.
- 4% increase for BIPD is under the Police Pay Plan
- 3% COLA is programmed for Non-uniformed Employees
- \$160,514 of Reserves will be used to fund the General Operation if additional revenues are not received and to continue the City's operations and keep a high level of service. The City staff developed a prioritized needs list for review in the additional event funding is received. The list was also reviewed and recommended by the Staff and Budget Committee based on Council discussions.
- The City expects ARPA Funds and possibly rent received from Cornerstone Charter Academy (CCA) to replenish reserves before the end of the fiscal year. The City anticipates receiving funds from the ARPA Program for over two years. We received guidance from the federal government and State that half of the funds will be received in FY21-22 and the other half in FY22-23. Mr. Francis recommends the priority of the ARPA funds be allocated to (1) stormwater funds and (2) replace the loss of COVID revenue to General Fund.

Comm Nielsen noted that many of the items on the needs list should be moved to the agenda as written. City Manager Francis said a discussion on the budget would occur in the upcoming workshops starting on August 18. The workshop schedule for August 11 will be canceled to allow the Redistricting Committee to meet.

Comm Nielsen said we have a strong Reserve, and she would like to discuss the possibility of spending some of the reserves for some of the items in the needs list recommended by the Budget Committee. Comm Miller said the Reserves are reasonable to use on one-time-use items; otherwise, the City cannot sustain the funding for ongoing projects unless they generate additional revenue.

Comm Miller said he would like to see the Budget Message amended to include the incremental increase to the Retirement contributions as approved by Council (19%-uniformed and 17% non-uniformed employees).

Mayor Fouraker commended the Budget Committee on their hard work in providing a needs list for consideration. He would like to ask all Council members to give an opening statement for their district with their priorities related to the budget at the Workshop scheduled for August 18.

**4. Consent Items**

- a. Approval of the July 20, 2021 meeting minutes
- b. Proclamation – Election 2022

**Comm Nielsen moved to approve the Consent Items as presented.**

**Comm Holihan seconded the motion, which passed 7:0.**

**Mayor Fouraker read the Proclamation for the record.**

**5. Citizen's Comments**

Mayor Fouraker called for citizen comments. There being no further comments, he closed citizen comments.

**6. Unfinished Business**

- a. Resolution for Bank Signatures

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AUTHORIZING COUNCIL MEMBERS AND THE MAYOR AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS AND CREATING AN INTERNAL POLICY CONCERNING PREPARATION AND ISSUANCE OF CITY CHECKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

According to Council direction, Mr. Francis said the Resolution was revised by the City Attorney to include the new District 4 Commissioner and added provisions that create an internal policy for preparing and issuing City checks.

**There being no further discussion, Comm Nielsen moved to approve Resolution 21-16.**

**Comm Holihan seconded the motion which passed unanimously 7:0.**

- b. Resolution for Employee Bonus Program

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, APPROVING A POLICY TO PROVIDE AN EMPLOYEE BONUS PROGRAM; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mr. Francis said the Resolution and the Program only approve employees who meet the criteria and do not offer bonuses.

Comm Miller shared his concerns with items C & G in the policy. He said a line item should be allocated for bonuses in the budget, and (2) the \$10,000 fixed amount might not be suitable for larger departments. All modifications to this line item should be approved by Council and not provide the City Manager sole discretion. City Manager Francis said there is a third line in each department for a bonus. As for a department exceeding 10,000, paragraph H of the Policy allows for additional funds to be approved by City City Council if permitted in the budget. City Manager Francis said the cap of \$10,000 exists so that the department's heads can scrutinize the budget.

After further discussion,

**Comm Carugno moved to approve Resolution 21-15 regarding the Employee Bonus Program as presented.**

**Comm Partin seconded the motion for discussion.**

**The motion passed 4:3 with Comm Gold, Comm Miller, and Comm Nielsen, nay.**

**7. New Business.**

- a. Ordinance 21-08 - Business License Change Due to New State Law

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTIONS 28-91 THROUGH 28-100 AND CREATING NEW SECTIONS 28-101 AND 28-102 OF CHAPTER 28, ARTICLE IV OF THE CITY CODE; UPDATING AND MODERNIZING CITY CODE PROVISIONS GOVERNING OCCUPATIONAL LICENSES/BUSINESS TAX RECEIPTS AND RELATED MATTERS, INCLUDING CHANGES NECESSARY FOR CONSISTENCY WITH THE CURRENT STATUTES UNDER CHAPTER 205, FLORIDA STATUTES, WITH RESPECT TO TERMINOLOGY, RULES, REGULATIONS, PROCEDURES, AND OTHER MATTERS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND THE EFFECTIVE DATE OF THIS ORDINANCE.**

Mr. Francis said this Ordinance had not been revised in our Charter in a very long time. The State has made some changes throughout the years, and this Ordinance will conform to the new laws enacted in Florida Statute 205.

Attorney Ardaman said our current Code uses outdated terminology and will be consistent with FL Statute.

Comm Miller asked if the City has a list of taxes for Occupational licenses. Mr. Francis said the City currently charges for only two Residential and Commercial Licenses. This year the fees do increase to \$30-Residential and \$50-Commerical. He asked if the City can go through the process of creating and taxing other categories. He found that the Statute calls for creating an Equity Study Commission to create a list of classifications. There are parameters outlined in the process in the Statute. Mr. Francis said he would like to research creating a Board as outlined in the Statute and present it to the Council for discussion later.

Comm Miller referenced the City of Apopka and their Ordinance that includes additional taxes collected and asked if we would adopt something similar. City Manager Francis said another avenue might be to create an MSTU Tax for emergency services with a rate different for hotels. Discussion ensued.

**City Clerk read Ordinance 21-08 by Title.**

**Comm Holihan moved to read Ordinance 21-08 for a second reading and adoption at the August 17, 2021, City Council meeting.**

**Comm Gold seconded the motion which passed unanimously 7:0.**

#### **b. Discussion on Zip Code Change**

Following the guidelines placed by the Postal Service, he looked at how to go about requesting a new zip code for the City. Mr. Francis provided a draft Resolution that mirrors the Mayor's letter on behalf of the City. We ask for a new zip code to resolve problems that may affect some finances with car/home insurance, home appraisals, Medicare determinations, crime statistics, State revenues, and fire ratings. It will also provide staff with better statistics when applying for grants. Mr. Francis said some disadvantages are that residents might have to change all their documentation, and some of the fees may or may not decrease. He stated that one of the reasons we cannot request a change is for Community Integrity. Comm Shuck, a former Postal Service Employee, agreed with the staff recommendations and said the change should be submitted to reflect the City's benefits and residents.

Mr. Francis said this is a long process. USPS recommended that the City hold several public hearings, send out a survey to residents, or consider placing a question on the next election ballot and let the residents vote to pursue a zip code change.

Comm Miller said after some research a few years back with the property appraiser's office; he found that tax revenues are affected by zip code, and some of their information is inaccurate. Mr. Francis said some of the confusion is that the Property Appraisers office bases their information on the Postal Service, and some Belle Isle addresses have an Orlando, FL address. After discussion, the Council consensus was to move forward and have the City Attorney review the Letter and Ordinance for approval and start changing the zip code.

**Comm Gold moved to have the City Attorney and Staff move forward with the draft Resolution and Letter to the Post Office.**

**Comm Holihan seconded the motion which passed unanimously 7:0.**

#### **8. Attorney's Report – No report.**

#### **9. City Manager's Report**

##### **a. Issues Log**

City Manager Mr. Francis (CM) gave an overview of the August 3, 2021 issues log and noted the following,

- CCA will start practice on the Field from August 10-Oct 22, 2021, from 3-6 pm, Monday through Friday. The City sent alerts and posted the Field accordingly.
- Acquisition of Property - Recommended scheduling a workshop in September for Acquisition of Property to establish goals. If the August 31<sup>st</sup> workshop is not needed for Budget Discussion, the agenda can change to allow discussion on Acquisition of Property.
- Palm Square Update – Structural Engineering completing the report. Once completed, the City will call the Property Manager and compare information to formalize a Plan of Action.

- Council Orientation – Mr. Francis reminded the Council of the Newly Elected official Academy course and yearly Sunshine Law Training. The City will reimburse Council with a passing certificate.

b. Chief's Report

Chief Houston reported on the following,

- School starts on August 5. The Agency is down three crossing guards and actively searching for volunteers. The roads Randolph (North and South) will be closed for 1-hour after school to avoid traffic issues.
- The PD will observe bicycle and Golf Cart regulations.
- 290 Citations issued in July consisting of (65-boating citations, 24-criminal, 7-DUI)

**10. Mayor's Report**

- Mayor Fouraker complimented PD staff on the Back to School Vaccine Event.
- Corner of Hansel and Hoffner new Colombian Bakery and Coffee shop.
- Mayor Fouraker read a letter received from a CCA Board member regarding COVID19 and masks requirements
- Orange County/CFL Recon Lake Clean scheduled for Sat, August 14 from 5 pm-Dusk – Venetian Boat Ramp. Kudos to JJs for their partnership.
- Electronics Event – August 21, 2021 starting at 9 am at City Hall
- NAV Board meeting scheduled for August 10, 2021, at 2010 East Michigan Street.

**11. Items from Council**

- Comm Carugno asked how the annexation of properties would affect the zip code change. Comm Shuck said properties annexed into the City would stay with their same zip code. He said the City staff should plan ahead of any future annexations.
- Comm Miller spoke on ARPA State Funds relating to stormwater management and challenged the Public Works staff and the Council to find the funds to complete some of the City projects.
- Comm Holihan spoke on the microburst that affected some of the homeowners on the Southside of the lake. The City Manager said there was a hazardous spill in the FDOT ditch in Trimble park. Duke Energy is completing a mediation plan to correct.

**12. Adjournment**

There being no further business, Mayor Fouraker called for a motion to adjourn. The meeting adjourned at 8:10 pm.